

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 02-60703-CIV-DIMITROULEAS

NEBULA GLASS INTERNATIONAL,  
INC., d/b/a GLASSLAM N.G.I., INC., a  
Florida corporation,

Plaintiff,

vs.

REICHHOLD, INC., a foreign corporation,

Defendant.

**NOTICE OF FILING PLAINTIFF'S VOIR DIRE QUESTIONS**

Plaintiff Nebula Glass International, Inc., d/b/a Glasslam N.G.I., Inc., and Defendant Reichhold,

Inc., hereby respectfully files the attached voir dire questions.

Respectfully submitted,

**WILLIAMS & HEFFLING**

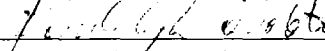
316 Banyan Boulevard  
West Palm Beach, Florida 33401

-and-

**THE BOLDT LAW FIRM**

Boca Plaza, Suite 203  
299 West Camino Gardens Boulevard  
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Attorneys for Plaintiff Glasslam

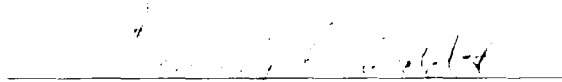
By:   
KIMBERLY L. BOLDT  
Florida Bar No. 957399



CASE NO. 02-60703-CIV-DIMITROULEAS

**CERTIFICATE OF SERVICE**

WE HEREBY CERTIFY that a true and correct copy of the forgoing Notice of Filing Voir Dire Questions was hand-delivered at calendar call this 29<sup>th</sup> day of April, 2004, to: **Fred J. Lotterhos, III, Esquire,** and **Dan Bean, Esquire,** Holland & Knight LLP, 50 N. Laura Street, Suite 3900, Jacksonville, Florida 32202.



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## VOIR DIRE QUESTIONS

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### Experiential

- Have you ever done business on a handshake? If yes, please explain.
- How many of you have ever entered into an oral or written business contract? If yes, please explain.
- Do any of you have any special knowledge, training, or experience pertaining to:
  - chemistry?
  - making resins?
  - making glass?
  - engineering?
  - quality control?
  - construction?
  - window or door manufacturing?
  - window or door installation?
  - chemical manufacturing?
  - the effects of ultraviolet light?
  - making or interpreting contracts?

If yes, please explain.

- Have you, or has anyone close to you, been endangered by a hurricane, tornado or any other type of high wind event? If yes, please explain.
- Have you, or has anyone close to you, ever:
  - purchased hurricane resistant laminated glass windows for a property or owned a property that contained such windows?
  - purchased hurricane shutters or other similar protective devices for windows?
  - chosen to purchase or not purchase a property because of the types of windows the property did or did not have?

If yes, please explain.

- Have you ever been involved in a manufacturing business? If yes, please explain.
- Have you ever been in a position in which your success required you to depend upon the quality of someone else's work? If yes, please explain.

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## **VOIR DIRE QUESTIONS, CONT'D**

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### **Experiential, Continued**

- Has your reputation, or that of someone close to you, ever been damaged because of something someone else did or did not do? If yes, please explain.
- Have you ever owned or managed a small business? If yes, please explain.
- Have you, or has anyone close to you, ever made a serious mistake by putting the wrong ingredient in something you/he/she were/was making or doing? If yes, please explain.
- Have you, or has anyone close to you, ever deliberately changed the recipe, formula, or instructions for making or doing something, believing that what you/he/she changed would not make a difference, only to later find out that the change made a big difference? If yes, please explain.
- Have you, or has anyone close to you, ever had a problem getting a manufacturer to replace a defective product of any type? If yes, please explain.
- Have you, or has anyone close to you, ever been injured or damaged in any way, or had any type of property damage, because of a defective product of any type? If yes, please explain.
- Have you, or has anyone close to you, ever stopped using a product of any type because you/he/she felt that it was unsafe or dangerous? If yes, please explain.
- Have you, or has anyone close to you, ever purchased a product that you thought was genuine only to later discover that it was a “knock off” or counterfeit? If yes, please explain.

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## VOIR DIRE QUESTIONS, CONT'D

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### **Attitudes, Values and Beliefs**

- Do you believe there is anything wrong with an oral contract? Please explain.
- Do you believe that oral contracts are valid and enforceable in a court of law? Please explain.
- Do you believe a customer should be able to rely upon the accuracy of a product's content label? Please explain.
- How do you feel about the ethics of big companies today? Why?
- Do you believe there are circumstances which justify a company not keeping its word to a customer? Please explain.
- Which is more important to you, the exact wording of a written document or the intent of the people who wrote and signed the document? Please explain.
- Under what conditions do you believe a company should be responsible for a mistake? Please explain.
- What is your definition of good faith?
- In a business situation, do you feel it is reasonable for each party to believe the other party is acting in good faith? Please explain.
- Do you believe that a small company's reputation is more vulnerable to a problem with a product than a large company's would be? Please explain.
- Do you believe that store brands or generic brands for grocery store products are as good as the national brands? Please explain. If your answer is that "it depends" on what factors does your answer depend?
- Do you believe, even slightly, that if a breach of contract occurs that all parties to the contract are to be blamed for the breach? Please explain.
- Do you believe that manufacturers should be allowed to sell products that have no warranty? If yes, please explain.
- Do you think there is anything wrong with people buying or selling "bootleg," "knock off," or counterfeit goods? Please explain.

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## **VOIR DIRE QUESTIONS, CONT'D**

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### **Attitudes, Values and Beliefs, Continued**

- Do you believe that, if a manufacturer knows its product is defective, it should recall the product before it breaks, or should it wait and replace the product only after it breaks? Please explain.
- Do you believe that it is possible to engineer and build buildings and homes to withstand category IV or V hurricanes with only minimal damage? Please explain.
- Do you believe that large corporations will try to take business or financial advantage of smaller corporations? Please explain.
- Do you believe that smaller corporations are at a disadvantage in negotiating contracts with larger corporations? Please explain.

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## VOIR DIRE QUESTIONS, CONT'D

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### Personality Variables

- Do you tend to see things as either black or white, or are you more likely to see things in shades of grey? Please explain.
- Are you the type of person who takes people at their word or do you tend to be less trusting? Please explain.
- How do you react to someone who fails to give you all the information about something? Please explain.
- What do you consider when determining whether something is an honest mistake? Please explain.
- For you, what is the difference between an excuse and a reason? Please explain.
- What do you do if you make a promise you can't keep? Please explain.
- Do you feel that trust should play an important part in a business relationship? Please explain.
- How do you decide if something is fair? Please explain.
- When you and another person agree about something important, do you feel there are any conditions when it would be okay for the other person to override what had been mutually agreed upon? Why or why not?
- What is your overall philosophy about how to build a successful business? Please explain.
- In general, do you tend to agree or disagree with the statement: "What you don't know won't hurt you"? Why or why not?
- When you choose to buy a product or service, do you tend to focus more on quality or price? Please explain.
- Are you the type of person who would rather discard a defective product or would you choose to deal with the hassles of getting it exchanged or replaced? Please explain.
- How would you go about deciding whether a product is defective or has just worn out? Please explain.

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## **VOIR DIRE QUESTIONS, CONT'D**

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### **Personality Variables, Continued**

- If there are two or more causal explanations for something, how would you go about deciding which explanation is right? Please explain.
- Are you the type of person who would voluntarily evacuate from the path of an oncoming major hurricane, or would you need to be forced to evacuate because you would try to ride it out? Please explain.